CHILD SUPPORT



To Change an Existing Court Order 15% or more Increase or Decrease

Part 3: Objecting and Requesting a Court Hearing (Simplified Process)

(Forms Packet)

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SELF SERVICE CENTER

TO MODIFY/CHANGE A COURT ORDER FOR CHILD SUPPORT (Simplified Process)

PART 3: OBJECTING AND REQUESTING A COURT HEARING (Forms Only)

How to assemble these documents

This packet contains court forms to file an "Objection/Response to a Request to Modify a Court Order for Child Support --Simplified Process." Be sure the documents are in the following order:

Order	File Number	Title	No. Pp.
1	DRMSS3ft	Table of instructions in this packet	1
2	DRMSS3k	Checklist for filing	1
3	DRMSS31f	"Request for Hearing" and "Notice of Hearing"	2
4	DRS12f	"Parent's Worksheet"	7
5	DRS81f	"Child Support Order"	4
6	DRS82f	"Order of Assignment"	1
7	DRS88f	"Current Employer Information Sheet"	1
8	DRS89f	"Judgment Data Sheet"	1

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SELF SERVICE CENTER

RESPONSE TO PETITION TO MODIFY CHILD SUPPORT ORDER

(Simplified Process)

CHECKLIST

USE THE FORMS and instructions in this packet **ONLY** if the following factors apply to your situation:

- ✓ The other party filed a "Request to Modify Child Support Pursuant to Guidelines (Simplified Procedure)," AND
- ✓ You want to have a hearing to explain your position.

READ ME: It is very important for you to know that when you sign a court document, you may be helping or hurting your court case. Before you sign any court document, or get involved with a court case, it is important that you see a lawyer to make sure you are doing the right thing. The Self-Service Center has a list of lawyers who can give you legal advice and can help you on a task-by-task basis for a fee. If you want to know more about our list of lawyers and our list of mediators, ask the Self-Service Center staff.

Mailing Address:			
City, State, Zip Code:			
Person Filing Document is: (If Attorney) State Bar No.:			
(<u></u>			
SUPERIOR COUF	RT OF ARIZON	A IN	COUNTY(2)
D 100	(3)	Case Number:	(5)
Petitioner		REQUEST FOR	HFARING
		AND NOTICE O	
	(4)	(Simplified Prod	cedure)
Respondent			
A Request to Modify (change) Ch	ld support pursuant to	the guidelines' simplified prod	cedure has been filed.
The information provided on the "support is not accurate. I am atta be accurate information. I request I further request that costs and fee	ching the required cor that a hearing be set s	mpleted <i>"Parent's Worksheet</i> o that I can explain to the judge	"that shows what I believe to or commissioner my position."
☐ Counter Petition – I for AMOUNT DIFFERENT FROM THE	urther request THE (IE REQUEST MADE	CHILD SUPPORT ORDER BE BY THE OTHER PARTY.	MODIFIED TO AN
I have read this document and the	e information is true a	nd correct to the best of my kn	owledge.
(6)Dated:		Requesting Party	,
OTATE OF ADIZONA		Requesting Faity	
STATE OF ARIZONA) ss.			
County of)			
Subscribed and sworn or affirmed	and acknowledged b	efore me this date:	
Notary Expiration Date		Notary Public or Cle	erk
	NOTICE (OF HEARING	
The characteristical Decreation ha	anian basina basa fila		
The above verified Request for he			
(7) DATE AND TIME:	; Date)	at (Time)	
PLACE:			

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DRMSS31f Use current version Request to Modify (Change) Child Support, Request for Hearing, and any oral testimony.

Dated:_______

Upon receipt of the hearing date, I will immediately mail a copy of this Request for Hearing and Notice of Hearing to the other party, or such person's attorney as follows:

(8) Name: ________
Address: _______

If one of the parties is using the child support services of the Department of Economic Security, I will also immediately mail a copy of this Request for Hearing and Notice of Hearing to:

Department of Economic Security
Child Support Enforcement
Attn: Modification, Maricopa County
P.O. Box 40458
Phoenix, Arizona 85067

If either party fails to appear at the hearing after proper notice, the court will take evidence from the party who does appear and make a decision based on the information provided in the

NOTICE TO PARTIES

(Requesting Party)

An arrearage calculation may be completed on your case. If it is determined that there is an over payment or an arrearage owing, the monthly obligation could be adjusted to bring your case current.

Dated:_____

(1)Person Filing:			
Mailing Address:			
City, State, Zip:			
Daytime Phone:			
Evening Phone:			
Representing:	☐ Self ☐ Attorne	,	
State Bar Number:			
	SUBEDIOD CO	URT OF ARIZONA	
		(2) COUNTY	
(3)Petitioner/Plaintiff,	}	Case No. (5)	
remonen/riamini,)	ATLAS No.	
DOB	SSN)	,	
VS.)	PARENT'S WORKSHEET	
(4))	FOR CHILD SUPPORT AMOU	ΝT
(4)Respondent/Defen	ndant,))	Prepared By: (6)	
DOB —			
MONTHLY GROS	S INCOME	Adopted by Court Yes No	
		<u>Father</u> <u>Mother</u>	
	ed to: Father Mother quired on the sheets following	(8)	
ADJUSTMENTS TO M (Can be an addition or	MONTHLY GROSS INCOME deduction)		
Court-Ordered Spo	ousal Maintenance Actually Re	ceived +/- Paid(9)	
	ild Support Actually Paid or ildren of Other Relationships	(10)	
(Explanation is rec	ildren of Other Relationships quired on the sheets following the	(11)	
signature page at	item 11)		
	oss Income for Each Parent nes 9 through 11 from line 8)	(12)	
	ED MONTHLY GROSS INCOMES from line 12 together.	<u>1E</u> (13)	

Need Help with the calculations? Call 602-506-3762 for an appointment for assistance at the Phoenix, Surprise, or Mesa courthouse locations. Ask for the "Calculations Department."

BASIC CHILD SUPPORT OBLIGATION			
Number of children for whom support is requested: provide details on the sheets following the signature page at Item 14)	(14)		
Basic Child Support Obligation (from the Schedule)	(15)		
ADJUSTMENTS FOR NECESSARY EXPENSES			
You may need to complete items 30-31; (Explanation is required on the sheets following the signature page.)	<u>Father</u>		<u>Mother</u>
Medical/Dental Insurance Costs for Children		(16)	
Child Care Costs		(17)	
Adjusted for Tax Credit		(17a)	
Extra Education Costs		(18)	
Extraordinary/Special Needs Child Costs		(19)	
Court-Ordered Visitation/Exchange Costs		(20)	
Number of Child(ren) 12 and Over 0 - 10%	(21)		
Total Adjustments for Necessary Expenses	(22)		
TOTAL CHILD SUPPORT OBLIGATION			
Total Child Support Obligation (add lines 15 and 22)	(23)		
EACH PARENT'S PERCENTAGE (%) OF COMBINED INCOME			
Calculate for each parent:	<u>Father</u>		<u>Mother</u>
Parents' Adjusted gross income (from line 12)		(24)	
Combined adjusted gross income (from line 13)		(25)	
Parents' Adjusted gross income DIVIDED BY combined adjusted gross income EQUALS	%	(26)	%
EACH PARENT'S PERCENTAGE (%) OF THE TOTAL SUPPORT OB	LIGATION		
Calculate for each parent:			
Total child support obligation (from line 23)		(27)	
Percentage of combined adjusted gross income (from line 26)	%	(28)	%

Percentage TIMES the total obligation EQUALS the amount of the parent's support obligation	(29)	
COMPLETE THIS SECTION FOR COSTS PAID BY THE NON-CUSTODI	AL PARENT:	
ADJUSTMENT FOR COSTS ASSOCIATED WITH VISITATION	<u>Father</u>	<u>Mother</u>
Requested Adjustment to be completed for paying parent ONLY Using Table A Or Table B Number of Visitation Days Per year (Explain on page 7) Visitation Table Percentage X Line 15 =	(30)	
MEDICAL INSURANCE MONTHLY PREMIUM ADJUSTMENT		
Enter the monthly amount of the medical/dental insurance premium paid directly to an insurance carrier by the non-custodial parent (from line 16) [Guidelines 11]	(31)	
CHILD CARE ADJUSTMENT		
Enter the monthly amount paid directly by the non-custodial parent for work-related child care. (From line 17a)	(31)	
EXTRA EDUCATION ADJUSTMENT		
Enter the <u>monthly</u> amount paid directly by the non-custodial parent for extra education costs agreed upon by both parents or ordered by the court. (From line 18)	(31)	
EXTRAORDINARY/SPECIAL NEEDS CHILD ADJUSTMENT		
Enter the monthly amount paid directly by the non-custodial parent for costs associated with special needs of gifted or handicapped children. (From line 19)	(31)	
COURT-ORDERED VISITATION/EXCHANGE ADJUSTMENT		
Enter the <u>monthly</u> amount paid directly by the non-custodial parent for costs associated with court-imposed supervised exchanges. (From line 20)	(31)	
ADJUSTMENTS SUBTOTAL		
Add lines 30 and 31.	(32)	
PRELIMINARY CHILD SUPPORT AMOUNT		
Deduct line 32 from line 29.	(33)	

IF YOU HAVE SOLE CUSTODY, PERFORM THE SELF-SUPPORT RESERVE TEST (LINE 36) AND GO TO LINE 38.

IF YOU HAVE ALTERNATIVE CUSTODY ARRANGEMENTS, COMPLETE EQUAL TIME SHARING (LINE 34) OR MULTIPLE CHILDREN (LINE 35) SECTIONS AND THE SELF SUPPORT RESERVE TEST (LINE 36); THEN GO TO LINE 38.

EQUAL TIME SHARING WHEN INCOMES ARE NOT EQUAL	<u>Father</u>	<u>Mother</u>
Prepare a Parent's Worksheet where neither party receives a visitation adjustment. Determine which parent has the lower support amount on line 33, deduct the lower amount from the higher amount, divide that amount in half. The resulting amount is paid by the parent with the higher preliminary child support amount to the parent with the lower preliminary child support amount. Explain on the sheets following the signature page.	(34)
MULTIPLE CHILDREN, DIVIDED CUSTODY		
Prepare a Parent's Worksheet to determine support for children in the Mother's household and a separate worksheet for children in the father's household. Determine which parent has the lower support amount from line 33, deduct the lower amount from the higher amount. The resulting amount is paid to the parent with the lower obligation. Explain your calculon the sheets following the signature page.)
SELF-SUPPORT RESERVE TEST		
Paying parent's Adjusted Gross Income from line 12	(12))
Minus reserve	(\$710) (36a	a) (<u>\$710</u>)
Minus arrears	() (36l	o) ()
RESULT	(37)
If the amount from line 37 above is less than the Preliminary Child Supporter the resulting amount as child support order on line 37, absent a de		the court MAY
AMOUNT TO BE ORDERED BY THE PARENT ORDERED TO PAY BASED ON THESE CALCULATIONS		
Enter the lesser of the amounts shown on line 33, 34, 35 or 37.	(38)
DEVIATION FROM THE GUIDELINES SUPPORT AMOUNT		
If you believe the Guidelines support amount is too high or too low in your case, enter the amount which you believe the court should order as child support in this case. Explain why on the sheets following the signature page.	(39)

RESPONSIBILITY FOR VISITATION-RELATED TRAVEL EXPENSES
Enter on this line the amount or percentage you think each parent should pay towards the travel/transportation expenses associated with visitation. The allocation of travel expenses does not change the amount of the support ordered. Explain on the sheets following the signature page.
RESPONSIBILITY FOR MEDICAL EXPENSES NOT PAID BY INSURANCE
<u>Father</u> <u>Mother</u>
Percentage of uninsured medical expenses that each parent should pay. (41)
I have read this document, and the facts are true and correct to the best of my knowledge or belief.
Date (42)
Signature of Person Filing
State of Arizona)
)ss. Acknowledged before me on this date:
My Commission Expires: Notary Public or Clerk
·
I have read this document, and the information provided is an accurate representation of the facts as supplied
to me by
Date:
Attorney Filing
BASIS FOR AMOUNTS SHOWN ON WORKSHEET
(7) Estimated/Attributed Income - Explain why you believe the other party is or could be earning the amount you indicated. Be as specific as possible. See the instructions for item 7 for examples. (Guidelines 4.e.)
(11) <u>Cost of Supporting Children of Other Relationships</u> - List the names and ages of the natural or adopted children for whom you are requesting an adjustment and describe the support you provide for these children. [Guidelines 5.a., 5.b., and 5.c.]

(11 – cont.) Name(s)	Date(s) of Birth(s)	Social Security Number(s)
(14) Children for whom Support is Requesting sup child(ren) for whom you are requesting sup Name(s)	uested - List the name(s) and age oport. Date(s) of Birth 12 or over Y / N	
Care Costs X of months	der to apportion the dependent car care by 25% with a maximum mor ore children.	te tax credit benefit. The court on the court of \$50 per month of \$50 per
	Cost $\div 12 = Monthly Co$	
(21) Child 12 and Over - Follow the works support the child(ren) age 12 and over. (G		
(30) Adjustment for Costs Associated w (Guidelines 10)	vith Visitation - Calculate the num	nber of visitation days per year.
Extended periods days Holidays periods days School breaks days	Weekend periods Midweek periods Other periods	days days days
Upon proof that certain costs usua equally shared by both parents, Visadjustment:		

34,
_
how
_
Shov es
uch ge

SUPERIOR COURT OF ARIZONA (1) MARICOPA COUNTY

(3)		Case No. (2)
Petitioner/Plaintiff,)
)	ATLAS No
DC	DB SSN)	
vs.		
<u>(4)</u>)	CHILD SUPPORT ORDER
Re	espondent/Defendant,)	
DC	DB SSN)	
Tŀ	HE COURT FINDS THAT:	
1.		ng child(ren): Date(s) of Birth(s) Social Security Number(s)
(14	4)	
2.	The parties' circumstances are as follows:	FATHER MOTHER COMBINED
	Gross Monthly Income Spousal Maintenance/Support Paid	(8)
	Child Support for Other Children Paid	() (10) ()
	Adjustment for Supporting Other Children	() (11) ()
	Adjusted Monthly Gross Income Basic Child Support Obligation	(12) (13) (15)
	Adjustments to Child Support Oblig	uation:
	Medical/Dental Insurance Premium Child Care Adjusted for Tax Exemption Extra Education Court-ordered Visitation/Exchange Extraordinary Child Child(ren) 12 or Older 0 - 10%	(16)
	Total Adjustments	(22)
	Total Monthly Child Support Obligation	(23)
	Each Parent's Proportionate Share of Income Each Parent's Support Obligation Adjustment for Costs Associated with Visitation Using Table A Table B	(29)

	Medical/Dental Insurance Premium Adjustment Child Care Adjustment Extra Education Adjustment Extraordinary Child Adjustment Visitation/Exchange Adjustment	nt (_ (_ (_ (_)))	(31c)	()		
	Adjustments Subtotal	_			(32)				
	Preliminary Child Support Amount Equal Time Sharing, Unequal Incomes Multiple Children, Divided Custody	_ _ _		_ _	(33) (34) (35)				
Se	If Support Reserve Test								
	Paying party's Adjusted Gross Income from line 12	_		_	(12)				
	Minus reserve	(_	\$710	_)	(36a)	(_	\$710)	
	Minus arrears	(_		_)	(36b)	(_)	
	RESULT	_			(37)	_			
	ne amount from line 37 above is less than the Presulting amount as child support order on line						Amount,	line	33, the court MAY order
ΑN	IOUNT TO BE ORDERED:	_			_ (38)	_			
3.	Paying Party's employer/payor is:								
	Name:								
	Payroll Dept. Address:								
4.	Written Findings for Physical Custody Adjustm	ent	and/or O	the	er Adjus	stm	nents:		
5.	The court finds that the paying party has the at \$	oility	to pay c	hilo	oqque t	ort	in the am	nou	nt from line 38:
6.	The court, having considered the best interests reason(s):	s of t	the child((re	n), devi	iate	es from tl	he (guidelines for the following
	 Application of the guidelines is inappropriate Application of the guidelines is unjust. The parties have signed a written agree have been ordered by the guidelines be 	· eme	ent with k	no	wledge ment.	e of	f the amo	oun	t of support that would

	The court makes the following findings regarding the deviation:
	☐ The child support order would have been \$
	The child support order after deviation is \$
	All parties have signed the agreement free of duress and coercion.
ΙΤ	IS ORDERED THAT:
Α.	The Petitioner Respondent shall pay child support of \$ per month to the other party. The first payment is due on// If this is a modification of child support, all other prior orders of this court not modified herein remain in full force and effect.
В.	The court finds that an arrearage exists in the amount of \$ for the period of time of// to//. ThePetitionerRespondent shall pay an arrearage payment of \$ per month to the other party with the first arrearage payment due on//
C.	All payments shall be made through the Support Payment Clearinghouse pursuant to an Order of Assignme assigned this date. At any time the paying party's employer/payor is not paying pursuant to an Order of Assignment, the <u>paying party</u> must make full and timely payment directly to:
	Support Payment Clearinghouse P.O. Box 52107 Phoenix, AZ 85072-2107
	Payments not made through the Clerk of the Court/Clearinghouse shall be considered gifts unless otherwise ordered. Payments must include the case number and the paying party's name.
	IMPORTANT NOTICE: Under state law (section 25-503, subsection I, Arizona Revised Statutes) the right to collect <u>unpaid</u> child support payments ends three years after the last child included in the child support order *emancipates. To collect the unpaid support, the person owed child support must file a court action to obtain a written judgment for the unpaid amount due <u>before</u> the end of the three year period. (Limited exceptions exist and are found in A.R.S. § 25320.B.).
	*A child is emancipated: On the date of the child's marriage. On the child's 18 th birthday. When the child is adopted. When the child dies. When the support obligation is terminated by court if support is extended beyond the age of 18.
D.	Unless the court has ordered otherwise, the parties affected by this order shall notify the Clerk of the Court/Clearinghouse of their addresses and shall notify the Clerk/Clearinghouse of any change of address within ten (10) days. The paying party shall also notify the Clerk/Clearinghouse of the names and addresses of the paying party's employers or other payors and, within ten (10) days, of any changes thereof.
Ε.	The costs of visitation-related travel/transportation shall be shared by the parties as follows: Father: Mother:

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DRS81f

F.	☐ Petitioner ☐ Respondent is responsible for providing medical and/or dental insurance for the child(ren). ☐ Petitioner ☐ Respondent shall pay% of any uninsured medical/dental expenses and the other party shall pay the remainder.
Э.	The parties shall:
	Exchange financial information such as copies of tax returns, earnings statements, and a Parent's Worksheet every 24 months.
	☐ Exchange residential addresses and the names and addresses of their employers every 24 months.
Н.	The court allocates the tax exemption(s) as follows:
Da	te Judge or Commissioner

THE SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

(1)) Petitioner/Plaintiff)
) (3) Case No
(2)
TO: CURRENT AND FUTURE EMPLOYERS OR OTHER PAYORS OF:
(5) Name: SSN:
THIS ORDER MODIFIES AND REPLACES ANY PREVIOUS "ORDER OF ASSIGNMENT" WITH THE SAME CASE NUMBER.
You shall withhold court-ordered payments as follows:
Current Child Support Current Spousal Maintenance/ Support Payments on Arrears/Interest Clearinghouse Handling Fee \$
TOTAL AMOUNT per month \$ but no more than 50% of disposable earnings (A.R.S.§ 33-1131). *The Clearinghouse handling fee is set by statute and subject to change (A.R.S.§ 25-510).
This "Order of Assignment" is effective immediately upon receipt by an employer or other payor including self-employed persons, and continues until further Order, or until a period of ninety (90) continuous days from the last payment to the Obligor. If you are again obligated to pay monies to the Obligor within 90 days, you are again bound by this "Order of Assignment." Payment must be sent to the Support Payment Clearinghouse within two (2) business days of the date the monie were withheld.
You shall not discharge or otherwise discipline the person named in this assignment, because of service of this "Order of Assignment."
The above ATLAS number and employee's name must appear on the Transmittal Form or check. Make checks payable to - and send to: Support Clearinghouse, PO Box 52107, Phoenix, AZ 85072-2107.
Dated this day of
ludicial Officer or Clerk of Superior Court

CURRENT EMPLOYER INFORMATION

You may also fill out this form online at the Family Support Center Website at: http://www.familysupportcenter.maricopa.gov

THIS FORM MUST BE COMPLETED FOR: AN ORDER OF ASSIGNMENT (STAPLE TO THE ORDER OF ASSIGNMENT) ORDER TO STOP AN ORDER OF ASSIGNMENT (STAPLE TO THE STOP ORDER) NOTIFICATION OF A CHANGE OF EMPLOYER CASE NUMBER:_____ ATLAS NUMBER:_____ _____SSN: ____ PAYOR NAME: (PERSON TO MAKE PAYMENTS) LIST ONLY THE EMPLOYER'S NAME AND PAYROLL ADDRESS WHERE THE ORDER OF ASSIGNMENT OR STOP ORDER SHOULD BE MAILED. CURRENT EMPLOYER NAME: _____ PAYROLL ADDRESS: CITY:______STATE:_____ZIP:____ EMPLOYER TELEPHONE: _____ EMPLOYER FAX: FOR COURT USE ONLY. DO NOT WRITE BELOW THIS LINE. WA/FSC WA/LOG ID: TYPE OF W/A DATE AMOUNT OF ORDER EMPLOYER STATUS ENTERED BY SUB NEW W/A

AG

DCSE

Case No			
ATLAS No.			

JUDGMENT DATA SHEET (FOR INTERNAL USE ONLY*)

ATTENTION: COURT DIVISION AND STAFF. DO <u>NOT</u> FILE THIS DOCUMENT. DO <u>NOT</u> DISTRIBUTE THE COMPLETED JUDGMENT DATA SHEET TO THE PARTIES. THIS FORM IS FOR CLERK OF COURT INTERNAL USE <u>ONLY</u>.

PERSON TO RECEIV	/E PAYMENTS:		PERSON TO MAKE PAYMENTS: Name:			
Name:						
Gender: Male Fe	n:	Gender: Male Female Date of Birth:				
SSN:			SSN:			
Mailing Address:			Address:			
Daytime Phone:			Davtime	Phone:		
Evening Phone:		<u> </u>	Daytime Phone:			
_			Evening Phone: Other (cell, pager): Email Address:			
Other (cell, pager):	-					
Email Address:						
Payroll Mailing Address Phone:	:					
CHILDREN:						
Name		Gender (M/F)	Date of	Birth	Social Security No. (if available)	
Additional children lis	sted on attached sh	neet.				
		FOR COURT	USE ONL	Y		
Order Date:				Type of Orde		
Current Child Support	Arrearages	Current Spou	ısal Maint.	Arrearages	Miscellaneous	
Amount Frequency	Amount Frequency			Amount Frequency	Med Ins Frequency	
Due Date	Frequency Total	Frequency Total		Frequency Total	Med Bills	
	Thru Date			Thru Date	Frequency	
	Due Date		<u> </u>	Due Date	Due Date	